

REMARKS

In the Office Action,¹ the Examiner rejected claims 1-19 under 35 U.S.C. § 101; and rejected claims 1-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,343,280 to Clark ("Clark").

By this Amendment, Applicants cancel claims 1-19 and add new claims 20-36.

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants cancel claims 1-19, rendering the rejection of these claims under 35 U.S.C. § 101 moot. Moreover, Applicants respectfully submit that new claims 20-36 fully meet the requirements of 35 U.S.C. § 101.

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,343,280 to Clark ("Clark"). Applicants cancel claims 1-19, rendering the rejection of these claims under 35 U.S.C. § 101 moot. Moreover, Clark fails to teach or suggest each and every element recited by new claims 20-36. In order to properly establish that Clark anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting Richardson v. Suzuki Motor Co., 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

New independent claim 20 recites an information processing apparatus including:

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

a storage unit for storing an attribute information list, the attribute information list identifying a type of information processing apparatus and identifying a function of the information processing apparatus; and
an interpretation module for determining whether the type and the function included in the attribute information list matches data contained in a property selection list distributed with the content, wherein
when the type and the function match the data, the information processing apparatus grants access to the content, and
when the type and the function do not match the data, the information processing apparatus denies access to the content.

Clark does not teach or suggest these claimed elements. Clark merely discloses a user device that waits for traps or breakpoints in software, sends a machine state to a license server when a trap or breakpoint occurs, and receives from the license server authorization to continue execution. Clark, Fig. 2. Accordingly, Clark cannot anticipate independent claim 20 or dependent claims 21-25. Independent claims 26, 30, and 36, although of different scope from claim 20, are allowable for at least the same reasons as claim 20.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application, and the timely allowance of the pending claims. Should the Examiner continue to dispute the patentability of the claims after consideration of this Reply, Applicants encourage the Examiner to contact Applicants' undersigned representative by telephone to discuss any remaining issues or to resolve any misunderstandings.

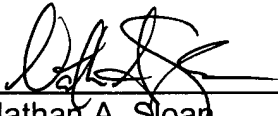
Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By: _____


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